

ORIGINAL



BEFORE THE ARIZONA CORPORATION COMMISSION

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COMMISSIONERS

2007 JAN 26 A 11: 53

Arizona Corporation Commission
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JAN 26 2007

JEFF HATCH-MILLER, CHAIRMAN
WILLIAM A. MUNDELL
MIKE GLEASON
KRISTIN K. MAYES
GARY PIERCE

AZ CORP COMMISSION
DOCUMENT CONTROL

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NR

IN THE MATTER OF THE COMMISSION ON IT'S
OWN MOTION INVESTIGATING THE FAILURE
OF CARL HARVEY DBA GOLDEN CORRIDOR
WATER COMPANY, TO COMPLY WITH
COMMISSION RULES AND REGULATIONS.

DOCKET NO. W-02497A-06-0580

PROCEDURAL ORDER RESPONSE

BY THE COMMISSION:

ON OCTOBER 6, 2006, THE ARIZONA CORPORATION COMMISSION ("COMMISSION") STAFF
FILED A COMPLAINT AND PETITION FOR AN ORDER TO SHOW CAUSE ("COMPLAINT") AGAINST
CARL HARVEY, DBA GOLDEN CORRIDOR WATER COMPANY ("GCWC") FOR FAILURE TO COMPLY
WITH WATER QUALITY AND SERVICE STANDARDS.

ON OCTOBER 18, 2006, MR. GEORGE MOYA, MS. NANCY HAWKINS, MR. CRAIG SAMPSON,
MR. LEWIS MCKENZIE LARKIN FILED REQUESTS TO INTERVENE.

ON OCTOBER 19, 2006, MR. JOHN A. CHADWICK FILED A REQUEST TO INTERVENE.

ON NOVEMBER 1, 2006, BY PROCEDURAL ORDER, MR. GEORGE MOYA, MS. NANCY
HAWKINS, MR. CRAIG SAMPSON, MR. LEWIS MCKENZIE LARKIN, AND MR. JOHN A. CHADWICK
WERE GRANTED INTERVENTION.

ON NOVEMBER 21, 2006, IN AN OPEN MEETING BEFORE THE COMMISSIONERS, GCWC
APPEARED TELEPHONICALLY. STAFF RECOMMENDED THAT AN INTERIM MANAGER BE
APPROVED FOR GCWC. STAFF ADVISED THE COMMISSIONERS THAT THE STATE OF ARIZONA
HAD \$750,000.00 ESTABLISHED IN A STATE FUND. THIS FUND COULD BE USED BY AN
INTERIM MANAGER FOR DISTRESSED WATER COMPANIES. AFTER QUESTIONS FROM THE
COMMISSIONERS AND GCWC RESPONDING WITH ANSWERS, THE COMMISSIONERS AND STAFF
TOOK AN INTERMISSION

UPON RESUMING THE OPEN MEETING, THE STAFF ADVISED THAT THERE WOULD THEN BE A HEARING SCHEDULED. GCWC ACCEPTED THE OFFER OF AN INTERIM MANAGER. GCWC ADVISED THAT IT IS IN THE BEST INTEREST OF IT'S CUSTOMERS TO HAVE AN INTERIM MANAGER THAT CAN ACCESS THE STATE FUND OF \$750,000.00. THE COMMISSIONERS TOOK A VOTE AND VOTED UNANIMOUSLY TO APPROVED GCWC HAVING AN INTERIM MANAGER.

ON DECEMBER 5, 2006, THE COMMISSION ISSUED DECISION NO. 69166 WHICH DIRECTED THE HEARING DIVISION TO CONDUCT FURTHER PROCEEDINGS IN THIS MATTER.

ON DECEMBER 11, 2006, A PRE-HEARING CONFERENCE WAS HELD AND PROCEDURAL DEADLINES WERE DISCUSSED. A HEARING DATE OF JANUARY 11, 2007, WAS AGREED UPON BY GCWC AND STAFF. ON JANUARY 9, 2007 GCWC CONTACTED THE HEARING DIVISION TO CONFIRM THE HEARING ON JANUARY 11, 2007. HEARING DIVISION STAFF ADVISED GCWC THAT THE JANUARY 11, 2007 HEARING HAD BEEN RESCHEDULED FOR FEBRUARY 8, 2007.

ON JANUARY 12, 2007, STAFF ISSUED A PROCEDURAL ORDER WHICH ORDERED THAT THE EVIDENTIARY HEARING ON THE ABOVE COMPLAINT WOULD COMMENCE ON FEBRUARY 8, 2007, AT 10:00A.M., OR AS SOON THEREAFTER AS IS PRACTICAL, AT THE COMMISSION'S OFFICES, 1200 WEST WASHINGTON STREET, PHOENIX, ARIZONA.

THE PROCEDURAL ORDER ALSO ORDERED THAT RESPONDENT/GCWC PUBLISH THE FOLLOWING NOTICE OF THE HEARING(SEE EXHIBIT ONE) IN A NEWSPAPER(S) OF GENERAL CIRCULATION IN EVERYCOUNTY IN ARIZONA IN WHICH GCWC PROVIDES SERVICE BY **JANUARY 26, 2007,** AND SHALL FILE AFFIDAVITS OF PUBLICATION WITH THE COMMISSION NO LATER THAN **FEBRUARY 5, 2007.**

ON TUESDAY, JANUARY 16, 2007, THE COMMISSION STAFF MAILED THE PROCEDURAL ORDER BY CERTIFIED MAIL, #7180 4442 0100 0000 1031, TO CARL HARVEY, GOLDEN CORRIDOR WATER CO, INC., 2880 EAST MOPAR DRIVE, CASA GRANDE, ARIZONA 85222.

(SEE ENVELOPE COPY EXHIBIT TWO).

ON TUESDAY, JANUARY 23, 2007, THE UNITED STATES POST OFFICE PLACED A NOTICE OF ATTEMPTED MAIL DELIVERY. (SEE NOTICE COPY EXHIBIT THREE). THE NOTICE READ THAT THE CERTIFIED MAIL, #7180 4442 0100 0000 1031, WOULD BE AVAILABLE FOR PICKUP AT THE CASA GRANDE POST OFFICE AFTER JANUARY 24, 2007, 8:00A.M.

ON WEDNESDAY, JANUARY 24, 2007 GCWC PICKED UP THE CERTIFIED MAIL AT THE CASA GRANDE POST OFFICE.

ON THURSDAY, JANUARY 25, 2007 GCWC CALLED THE COMMISSION AND SPOKE TO STAFF OF THE HEARING DIVISION. HEARING DIVISION STAFF CLAIMED THAT THE ORDER HAD BEEN MAILED TO GCWC ON JANUARY 12, 2007. GCWC ADVISED HEARING DIVISION STAFF THAT IT HAD NOT BEEN MAILED UNTIL JANUARY 16, 2007 ACCORDING TO THE ENVELOPE POSTMARK. GCWC RELATED TO STAFF THAT SINCE STAFF HAD NOT MAILED THE PROCEDURAL ORDER TIMELY AND THAT THE UNITED STATES POST OFFICE HAD NOT DELIVERED THE CERTIFIED MAILED PROCEDURAL ORDER TIMELY, THERE WAS NO LONGER ENOUGH TIME TO HAVE THE NOTICE TYPESET AND PUBLISHED BY THE CASA GRANDE NEWSPAPER BY THE DEADLINE OF JANUARY 26, 2007 AS PER THE PROCEDURAL ORDER. THE HEARING DIVISION STAFF ADVISED GCWC TO FILE A WRITTEN RESPONSE WITH DOCKET CONTROL.

ON FRIDAY, JANUARY 26, 2007, GCWC HAND DELIVERED THIS RESPONSE/REQUEST FOR RESCHEDULING OF THE HEARING THAT IS SCHEDULED FOR FEBRUARY 8, 2007, TO THE ARIZONA CORPORATION COMMISSION, 1200 WEST WASHINGTON STREET, PHOENIX, ARIZONA, DOCKET CONTROL. AFTER GCWC IS NOTIFIED BY THE COMMISSION OF THE HEARING DATE, GCWC WILL HAVE THE NOTICE OF HEARING TYPESET AND PUBLISHED AND MAILED TO EACH AND EVERY CUSTOMER OF RECORD.

EXHIBIT ONE

IN THE MATTER OF THE COMMISSION ON IT'S OWN MOTION INVESTIGATING THE FAILURE OF CARL HARVEY DBA GOLDEN CORRIDOR WATER COMPANY TO COMPLY WITH COMMISSION RULES AND REGULATIONS

DOCKET NO. W02497A-06-0580

ON OCTOBER 6, 2006, THE ARIZONA CORPORATION COMMISSION ("COMMISSION") STAFF FILED A COMPLAINT AND PETITION FOR AN ORDER TO SHOW CAUSE ("COMPLAINT") AGAINST CARL HARVEY, DBA GOLDEN CORRIDOR WATER COMPANY ("GCWC") FOR FAILURE TO COMPLY WITH WATER QUALITY AND SERVICE STANDARDS. ON DECEMBER 5, 2006, THE COMMISSION ISSUED DECISION NO. 69166 WHICH DIRECTED THE HEARING DIVISION TO CONDUCT FURTHER PROCEEDINGS IN THIS MATTER. COPIES OF THE COMPLAINT AND RESPONSES FILED BY THE COMPANY WILL BE AVAILABLE AT THE COMPANY'S OFFICES AT POST OFFICE BOX 486, RUSHVILLE, INDIANA, 46173-0486 AND ON THE INTERNET VIA THE COMMISSION WEBSITE(WWW.AZCC.GOV) USING THE E-DOCKET FUNCTION.

THE COMMISSION WILL HOLD A HEARING ON THIS MATTER BEGINNING FEBRUARY 8, 2007, AT 10:00A.M., AT THE COMMISSION'S OFFICES, 1200 WEST WASHINGTON STREET, PHOENIX, ARIZONA. PUBLIC COMMENTS WILL BE TAKEN ON THE FIRST DAY OF THE HEARING. THE LAW PROVIDES FOR AN OPEN PUBLIC HEARING AT WHICH, UNDER APPROPRIATE CIRCUMSTANCES, INTERESTED PARTIES MAY INTERVENE. INTERVENTION SHALL BE PERMITTED TO ANY PERSON ENTITLED BY LAW TO INTERVENE AND HAVING A DIRECT AND SUBSTANTIAL INTEREST IN THE MATTER. PERSONS DESIRING TO INTERVENE MUST FILE A WRITTEN MOTION TO INTERVENE WITH THE COMMISSION NO LATER THAN **FEBRUARY 5, 2007**. THE MOTION TO INTERVENE MUST BE SENT TO THE COMPANY OR IT'S COUNSEL AND TO ALL PARTIES OF RECORD, AND MUST CONTAIN THE FOLLOWING:

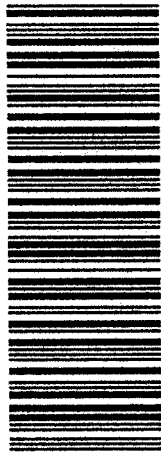
1. THE NAME, ADDRESS, AND TELEPHONE NUMBER OF THE PROPOSED INTERVENOR AND OF ANY PARTY UPON WHOM SERVICE OF DOCUMENTS IS TO BE MADE IF DIFFERENT FROM THE INTERVENOR.
2. A SHORT STATEMENT OF THE PROPOSED INTERVENOR'S INTEREST IN THE PROCEEDING (E.G., A CUSTOMER OF THE COMPANY, A SHAREHOLDER OF THE COMPANY, ETC.)
3. A STATEMENT CERTIFYING THAT A COPY OF THE MOTION TO INTERVENE HAS BEEN MAILED TO THE COMPANY OR IT'S COUNSEL AND TO ALL PARTIES OF RECORD IN THE CASE.

THE GRANTING OF INTERVENTION, AMONG OTHER THINGS, ENTITLES A PARTY TO PRESENT SWORN EVIDENCE AT THE HEARING AND TO CROSS-EXAMINE OTHER WITNESSES. HOWEVER, FAILURE TO INTERVENE WILL NOT PRECLUDE ANY INTERESTED PERSON OR ENTITY FROM APPEARING AT THE HEARING AND PROVIDING PUBLIC COMMENT ON THE APPLICATION OR FROM FILING WRITTEN COMMENTS IN THE RECORD OF THE CASE. YOU WILL NOT RECEIVE ANY FURTHER NOTICE OF THIS PROCEEDING UNLESS YOU REQUEST IT. IF YOU HAVE ANY QUESTIONS REGARDING THE COMPLAINT, YOU MAY CONTACT THE COMPANY AT 520 840-0489. IF YOU WISH TO FILE WRITTEN COMMENTS ON THE COMPLAINT OR WANT FURTHER INFORMATION ON INTERVENTION YOU MAY CONTACT THE CONSUMER SERVICES SECTION OF THE COMMISSION AT 1200 WEST WASHINGTON STREET, PHOENIX, ARIZONA 85007, OR CALL 1-800-222-7000. THE COMMISSION DOES NOT DISCRIMINATE ON THE BASIS OF DISABILITY IN ADMISSION TO IT'S PUBLIC MEETINGS. PERSONS WITH A DISABILITY MAY REQUEST A REASONABLE ACCOMMODATION SUCH AS A SIGN LANGUAGE INTERPRETER, AS WELL AS REQUEST THIS DOCUMENT IN AN ALTERNATIVE FORMAT, BY CONTACTING THE ADA COORDINATOR, LINDA HOGAN, AT LHogan@azcc.gov, voice phone number 602/542-3931. REQUESTS SHOULD BE MADE AS EARLY AS POSSIBLE TO ALLOW TIME TO ARRANGE THE ACCOMMODATION.

EXHIBIT TWO



ARIZONA CORPORATION COMMISSION
1200 W. Washington - Hrg. Div./Docket
Phoenix, Arizona 85007-2996



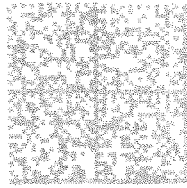
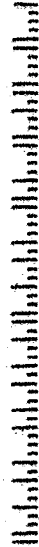
7150 4442 0100 0000 1031

CERTIFIED MAIL

dw 1/23/07

NAME
1st NOTICE
2nd NOTICE
RETURNED

85222+8537
8522209998



040J82033336

\$04.640

01/16/2007

Mailed From: 85007

US POSTAGE

P.O. Box

Carl Harvey
Golden Corridor Water Co, Inc.
2880 E. Mpoar Dr.
Casa Grande, AZ 85222

FWD

EXHIBIT THREE

United States Postal Service		Today's Date	Sender's Name
Sorry We Missed You! We'll Deliver for You		1/23/07	
Item is at:	Available for Pick-up After	We will redeliver or you or your agent can pick up. See reverse.	
Post Office (See back)	Date: 1/24/07 Time: 8:00		
<input checked="" type="checkbox"/> Letter <input type="checkbox"/> Large envelope, magazine, catalog, etc. <input type="checkbox"/> Parcel <input type="checkbox"/> Restricted Delivery <input type="checkbox"/> Perishable Item <input type="checkbox"/> Other:	For Delivery: (Enter total number of items delivered by service type) For Notice Left: (Check applicable item)	<input type="checkbox"/> If checked, you or your agent must be present at time of delivery to sign for item	
	<input type="checkbox"/> Express Mail (We will attempt to deliver on the next delivery day unless you instruct the post office to hold it.) <input checked="" type="checkbox"/> Certified <input type="checkbox"/> Recorded Delivery <input type="checkbox"/> Firm Bill	<input type="checkbox"/> Registered <input type="checkbox"/> Insured <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Delivery Confirmation <input type="checkbox"/> Signature Confirmation	Article Number(s) 7180444201000000 1031
Article Requiring Payment <input type="checkbox"/> Postage Due <input type="checkbox"/> COD <input type="checkbox"/> Customs \$		Notice Left Section Customer Name and Address Carl Parker 2880 E. Mehan Dr.	
<input type="checkbox"/> Final Notice: Article will be returned to sender on		Delivered By and Date	